

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
FIFTY-NINTH LEGISLATURE

FIFTY-FIRST LEGISLATIVE DAY
TUESDAY, FEBRUARY 27, 2007

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Broadsword and Burkett, absent and excused.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Heather Mallary, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 26, 2007, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

Senators Broadsword and Burkett were recorded present at this order of business.

SCR 117

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE, WITH AN EXCEPTION, AND REJECTING A CERTAIN AGENCY RULE DOCKET THAT IS NOT APPROVED.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must approve certain administrative rules that impose a fee or charge by adoption of a concurrent resolution before the rules become effective; and

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain Rules of the Department of Health and Welfare governing the Idaho Child Care Program (ICCP) are not consistent with legislative intent; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that all pending administrative rules or portions of pending administrative rules adopted by state agencies pursuant to the Administrative Procedure Act during the prior calendar year, and submitted through the Office of Rules Coordinator to the Legislature for review during the 2007 legislative session, which impose a fee or charge, be, and the same are approved, with the exception of the following enumerated pending fee rules:

IDAPA 16.06.12, Rules of the Department of Health and Welfare, Rules Governing the Idaho Child Care Program (ICCP), adopted as pending fee rules under Docket Number 16-0612-0602 (Chapter Rewrite), the entire rulemaking docket.

BE IT FURTHER RESOLVED that IDAPA 16.06.12, Rules of the Department of Health and Welfare, Rules Governing the Idaho Child Care Program (ICCP), adopted as pending fee rules under Docket Number 16-0612-0602 (Chapter Rewrite), the entire rulemaking docket is hereby rejected and not approved, and thereby pursuant to Section 67-5291 and Section 67-5224, Idaho Code, is declared null, void and of no force and effect.

BE IT FURTHER RESOLVED that rule provisions imposing fees or charges that were not submitted through the Office of Rules Coordinator for legislative review or that otherwise are not included and approved in this concurrent resolution shall be null, void and of no force and effect unless approved by adoption of a separate concurrent resolution by both houses of the Legislature as provided in Section 67-5224, Idaho Code.

SCR 118

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND APPROVING AND EXTENDING TEMPORARY RULES REVIEWED BY THE LEGISLATURE, WITH EXCEPTIONS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature by statute must approve temporary rules by adoption of a concurrent resolution approving the rule if the temporary rule is to remain in effect beyond the end of the current legislative session; and

WHEREAS, the expiration of temporary rules would occasion additional expense to state agencies in readopting and republishing temporary rules needed to conduct state business; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that all temporary rules adopted by state agencies pursuant to the Administrative Procedure Act and submitted to the Legislature at

the Legislature's request through the Office of Rules Coordinator for review during the 2007 legislative session, and all temporary rules previously approved and extended by concurrent resolution adopted in a prior regular session of the Idaho Legislature, be, and the same are approved, with the exception of the following enumerated temporary rules:

IDAPA 15.04.01, Rules of the Division of Human Resources and Personnel Commission, Section 071 concerning Merit Increase Matrix, Subsection 03 only, Section 077 concerning Bonuses, Subsection 02.c only, Section 078 concerning Retention Awards only, and Section 260 concerning Overtime, Subsection 03 only, adopted as temporary rules under Docket Number 15-0401-0601.

BE IT FURTHER RESOLVED that a temporary rule or partial temporary rule approved by this concurrent resolution shall remain in effect until it expires by its own terms or by operation of law or until it is replaced by a final rule, but in no event shall a temporary rule remain in effect beyond the conclusion of the Second Regular Session of the Fifty-ninth Idaho Legislature unless it is further extended by adoption of a concurrent resolution by both houses of the Legislature. Temporary rules or sections of temporary rules which are excepted from approval hereunder or which were not submitted to the Legislature for review during the 2007 legislative session shall expire by operation of statute upon adjournment of the First Regular Session of the Fifty-ninth Idaho Legislature, unless approved by adoption of a separate concurrent resolution by both houses of the Legislature.

Upon presentation of a petition submitted by Minority Leadership, the President Pro Tempore waived the provisions of Joint Rule 20, pertaining to the limitation on introduction of proposed constitutional amendments, and **SJR 104** was introduced and referred to the Judiciary and Rules Committee for printing. The correspondence was ordered filed in the office of the Secretary of the Senate.

SJR 104

BY STATE AFFAIRS COMMITTEE

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE IX, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO STATE LANDS TO PROVIDE THAT GRANTED LANDS SHALL BE OPEN TO MEMBERS OF THE PUBLIC FOR HUNTING, FISHING, TRAPPING AND RECREATION TO THE EXTENT THAT SUCH ACCESS IS CONSISTENT WITH THE PURPOSES FOR WHICH THE LANDS WERE GRANTED AND DOES NOT REDUCE THE LONG-TERM FINANCIAL RETURNS TO THE ENDOWED INSTITUTIONS AND TO PROVIDE THAT NOT MORE THAN TEN SECTIONS OF STATE LANDS SHALL BE SOLD IN ANY ONE YEAR; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

SCR 117 and SCR 118 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

SJR 104 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 27, 2007

The JUDICIARY AND RULES Committee reports that **S 1172, S 1173, S 1174, S 1175, S 1176, S 1177, SCR 114, SCR 115, and SCR 116** have been correctly printed.

DARRINGTON, Chairman

S 1172, S 1173, and S 1174 were referred to the State Affairs Committee.

S 1175 was referred to the Health and Welfare Committee.

S 1176 and S 1177 were referred to the Finance Committee.

SCR 114, SCR 115, and SCR 116 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 26, 2007

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 102** and **SCR 103** were delivered to the Office of the Secretary of State at 2:15 p.m. on February 26, 2007.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 26, 2007

The JUDICIARY AND RULES Committee reports that **S 1030**, as amended, **S 1123**, as amended, and **S 1089**, as amended, have been correctly engrossed.

DARRINGTON, Chairman

S 1030, as amended, **S 1123**, as amended, and **S 1089**, as amended, were filed for first reading.

February 26, 2007

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 32, S 1030, H 20, H 71, S 1123, and S 1089** have been correctly printed.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 26, 2007

The JUDICIARY AND RULES Committee reports out **S 1171** and **H 106** with the recommendation that they do pass.

DARRINGTON, Chairman

S 1171 and **H 106** were filed for second reading.

February 26, 2007

The RESOURCES AND ENVIRONMENT Committee reports out **HCR 12** with the recommendation that it do pass.

SCHROEDER, Chairman

HCR 12 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 26, 2007

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

John V. Evans to the Idaho Energy Resources Authority, term to expire June 30, 2011.

McKENZIE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 26, 2007

The STATE AFFAIRS Committee reports out **H 130** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

McKENZIE, Chairman

There being no objection, **H 130** was referred to the Fourteenth Order of Business, General Calendar.

February 26, 2007

The STATE AFFAIRS Committee reports out **HJM 2** with the recommendation that it do pass.

McKENZIE, Chairman

HJM 2 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 27, 2007

The FINANCE Committee reports out **S 1176** and **S 1177** with the recommendation that they do pass.

CAMERON, Chairman

S 1176 and **S 1177** were filed for second reading.

February 26, 2007

The EDUCATION Committee reports out **S 1139** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GOEDDE, Chairman

There being no objection, **S 1139** was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 26, 2007

Mr. President:

I transmit herewith **H 205, HCR 13, HCR 15, H 157, H 164, H 158, H 123, HJM 1**, as amended, and **H 125**, as amended, which have passed the House.

JUKER, Chief Clerk

H 205, HCR 13, HCR 15, H 157, H 164, H 158, H 123, HJM 1, as amended, and **H 125**, as amended, were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced the State Affairs Committee report relative to the Gubernatorial appointment of Keith Johnson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Jorgenson, seconded by Senator Stennett, the Gubernatorial appointment of Keith Johnson as Director of the Department of Administration was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Thomas E. Limbaugh was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Cameron, seconded by Senator Werk, the Gubernatorial appointment of Thomas E. Limbaugh as a member of the Idaho Industrial Commission was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced the Resources and Environment Committee report, relative to the Gubernatorial appointments of Kermit Kiebert, Donald J. Chisholm, and Ford Elsaesser, was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Stennett, the Gubernatorial appointment of Kermit Kiebert as a member of the Board of Environmental Quality was confirmed by voice vote.

On motion by Senator Cameron, seconded by Senator Kelly, the Gubernatorial appointment of Donald J. Chisholm as a member of the Board of Environmental Quality was confirmed by voice vote.

On motion by Senator Keough, seconded by Senator Langhorst, the Gubernatorial appointment of Ford Elsaesser as a member of the Lake Pend Oreille Basin Commission was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare letters of the Gubernatorial appointment confirmations for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Stennett, granted by unanimous consent, **SJM 105** retained its place on the calendar for one legislative day.

The President Pro Tempore announced that **SJM 106** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Goedde, seconded by Senator Burkett, **SJM 106** was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President Pro Tempore announced that **SCR 111** was before the Senate for final consideration.

Moved by Senator McGee, seconded by Senator Malepeai, that **SCR 111** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President Pro Tempore declared **SCR 111** adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that **HCR 11** was before the Senate for final consideration.

Moved by Senator Hill, seconded by Senator Burkett, that **HCR 11** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President Pro Tempore declared **HCR 11** adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that **SCR 112** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lodge, seconded by Senator Kelly, **SCR 112** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that **SCR 113** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lodge, seconded by Senator Kelly, **SCR 113** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that **SJM 103** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Cameron, seconded by Senator Langhorst, **SJM 103** was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1178

BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE STATE PERSONNEL SYSTEM; REPEALING CHAPTER 53, TITLE 67, IDAHO CODE, RELATING TO THE DIVISION OF HUMAN RESOURCES AND THE PERSONNEL COMMISSION; AMENDING THE HEADING FOR CHAPTER 35, TITLE 67, IDAHO CODE; AMENDING CHAPTER 35, TITLE 67, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 67-3532 THROUGH 67-3561, IDAHO CODE, TO ESTABLISH THE BUREAU OF HUMAN RESOURCES IN THE DIVISION OF FINANCIAL MANAGEMENT, TO PROVIDE A DECLARATION OF

POLICY, TO DEFINE TERMS, TO PROVIDE APPLICATION TO STATE EMPLOYEES, TO PROVIDE APPLICATION TO EMPLOYEES HIRED PRIOR TO THE ENACTMENT OF THIS ACT AND TO PROVIDE APPLICATION TO EXISTING MERIT SYSTEMS AND PERSONNEL SYSTEMS, TO PROVIDE APPLICABILITY OF FEDERAL MERIT SYSTEM STANDARDS, TO PROVIDE FOR CREATION AND ORGANIZATION OF THE IDAHO PERSONNEL COMMISSION, TO PROVIDE AUTHORITY AND DUTIES OF THE BUREAU OF HUMAN RESOURCES AND TO PROVIDE FOR SELECTION OF A BUREAU CHIEF, TO PROVIDE RULES OF THE BUREAU OF HUMAN RESOURCES AND THE PERSONNEL COMMISSION, TO PROVIDE DUTIES OF THE BUREAU AND STATE DEPARTMENTS AND TO PROVIDE VETERAN'S PREFERENCE, TO PROVIDE STATE EMPLOYEE COMPENSATION PHILOSOPHY, TO PROVIDE FOR THE IDAHO COMPENSATION PLAN, TO PROVIDE FOR ANNUAL SURVEYS, REPORTS AND RECOMMENDATIONS, TO PROVIDE OTHER PAY DELIVERY OPTIONS, TO PROVIDE FOR SERVICE TO OTHER POLITICAL SUBDIVISIONS, TO PROVIDE FOR LIMITATION OF POLITICAL ACTIVITY, TO PROVIDE PUNISHMENT FOR VIOLATIONS, TO PROVIDE A METHOD OF FINANCING OF THE BUREAU OF HUMAN RESOURCES, TO PROVIDE EMPLOYEE PROBLEM SOLVING AND DUE PROCESS PROCEDURES, TO PROVIDE AN APPEAL PROCEDURE, TO PROVIDE FOR WHEN A PETITION FOR REVIEW IS FILED, TO PROVIDE FOR AN APPEAL TO DISTRICT COURT, TO PROVIDE HOURS OF WORK AND OVERTIME, TO PROVIDE FOR CREDITED SERVICE, APPLICABILITY AND COMPUTATION, TO PROVIDE FOR SICK LEAVE, TO PROVIDE FOR VACATION TIME, TO PROVIDE FOR MOVING EXPENSE REIMBURSEMENT, TO PROVIDE FOR RED CROSS DISASTER SERVICES, TO PROVIDE A LEAVE OF ABSENCE WITH PAY IN LIEU OF WORKER'S COMPENSATION BENEFITS, TO PROVIDE THAT SEVERANCE PAY IS NOT PAID TO STATE EMPLOYEES AND TO PROVIDE LEAVE OF ABSENCE FOR ORGAN DONATION; AMENDING SECTION 33-2203, IDAHO CODE, TO PROVIDE THAT THE BOARD OF PROFESSIONAL-TECHNICAL EDUCATION SHALL PROVIDE FOR TRAINING OF STATE EMPLOYEES IN EMPLOYEE EVALUATION, DISPUTE RESOLUTION, STRESS MANAGEMENT, IN SUPERVISION AND IN OTHER HUMAN RESOURCE RELATED SUBJECTS AND TOPICS; AMENDING SECTION 67-1001, IDAHO CODE, TO PROVIDE ADDITIONAL DUTIES OF THE STATE CONTROLLER REGARDING IDAHO'S PAPERLESS ONLINE PERSONNEL/PAYROLL SYSTEM AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 13, TITLE 72, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 72-1345A, IDAHO CODE, TO PROVIDE DUTIES OF THE DEPARTMENT OF LABOR REGARDING EMPLOYMENT IN CLASSIFIED STATE POSITIONS; AMENDING SECTION 9-348, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 19-870, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 20-214, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 21-142, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION

21-148, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-103, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 23-207, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 25-1104, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 33-127, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 33-2101A, IDAHO CODE, TO DELETE REFERENCE TO AN OBSOLETE CODE SECTION; AMENDING SECTION 33-2109A, IDAHO CODE, TO PROVIDE PROPER STATUTORY CITATIONS; AMENDING SECTION 33-2504, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 36-104, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 36-106, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 36-202, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 36-2107, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 38-1215, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 39-104, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-113, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-401, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-413, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 39-3004, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-4115, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 39-5207, IDAHO CODE, TO PROVIDE PROPER STATUTORY CITATIONS; AMENDING SECTION 39-6002, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 40-503, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-206, IDAHO CODE, TO PROVIDE PROPER STATUTORY CITATIONS; AMENDING SECTION 41-226, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 42-1701, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 46-112, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 46-1207, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 54-1716, IDAHO CODE, TO DELETE REFERENCE TO THE PERSONNEL COMMISSION AND TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 56-1201, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 57-727, IDAHO CODE, TO PROVIDE REFERENCE TO THE BUREAU CHIEF OF THE BUREAU OF HUMAN RESOURCES; AMENDING SECTION 58-105, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION AND TO MAKE A TECHNICAL CORRECTION;

AMENDING SECTION 59-904, IDAHO CODE, TO DELETE REFERENCE TO THE ADMINISTRATOR OF THE DIVISION OF HUMAN RESOURCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 59-1205, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 59-1302, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 59-1303, IDAHO CODE, TO PROVIDE REFERENCE TO THE BUREAU CHIEF OF THE BUREAU OF HUMAN RESOURCES AND TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 59-1311, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 59-1601, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 59-1603, IDAHO CODE, TO PROVIDE PROPER STATUTORY CITATIONS, TO PROVIDE FOR A ONE-TIME AWARD PAYMENT FOR RECRUITMENT OR ANNUAL AWARD PAY FOR RETENTION PURPOSES AND TO PROVIDE REFERENCE TO THE BUREAU OF HUMAN RESOURCES; AMENDING SECTION 59-1604, IDAHO CODE, TO PROVIDE PROPER STATUTORY CITATIONS; AMENDING SECTION 59-1605, IDAHO CODE, TO PROVIDE PROPER STATUTORY CITATIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 59-1606, IDAHO CODE, TO PROVIDE PROPER STATUTORY CITATIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 59-1607, IDAHO CODE, TO PROVIDE PROPER STATUTORY CITATIONS, TO REVISE PROCEDURES FOR COMPENSATORY TIME, TO PROVIDE APPLICATION TO COMPUTER WORKERS OR OTHER EXCEPTIONS IN THE FEDERAL FAIR LABOR STANDARDS ACT AND TO ALLOW FOR PAY FOR OVERTIME WORK DURING A DISASTER OR EMERGENCY UNDER CERTAIN CONDITIONS; AMENDING SECTION 63-3076, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 65-202, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 65-506, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 67-429, IDAHO CODE, TO PROVIDE REFERENCE TO THE BUREAU CHIEF OF THE BUREAU OF HUMAN RESOURCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-802, IDAHO CODE, TO PROVIDE PROPER STATUTORY CITATIONS; AMENDING SECTION 67-1401, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-1910, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; REPEALING SECTION 67-1911, IDAHO CODE, RELATING TO FINANCIAL MANAGEMENT TECHNICAL DEVELOPMENT COMMITTEE; AMENDING SECTION 67-2402, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 67-2403, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 67-2504, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 67-2601, IDAHO CODE, TO PROVIDE PROPER STATUTORY CITATIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-2901, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-3511, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION

67-3519, IDAHO CODE, TO PROVIDE REFERENCE TO THE BUREAU OF HUMAN RESOURCES; AMENDING SECTION 67-4126, IDAHO CODE, TO PROVIDE REFERENCE TO THE BUREAU CHIEF OF THE BUREAU OF HUMAN RESOURCES; AMENDING SECTION 67-4402, IDAHO CODE, TO PROVIDE REFERENCE TO THE BUREAU CHIEF OF THE BUREAU OF HUMAN RESOURCES; AMENDING SECTION 67-4702, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 67-5009, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5202, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5409, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 67-5774, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 67-5904, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; AMENDING SECTION 67-6707, IDAHO CODE, TO PROVIDE PROPER STATUTORY CITATIONS; AMENDING SECTION 67-7306, IDAHO CODE, TO PROVIDE PROPER STATUTORY CITATIONS; AMENDING SECTION 67-7409, IDAHO CODE, TO PROVIDE PROPER STATUTORY CITATIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 72-513, IDAHO CODE, TO PROVIDE A PROPER STATUTORY CITATION; TO PROVIDE THAT THE ADMINISTRATIVE RULES COORDINATOR SHALL MAKE NECESSARY CHANGES TO CHANGE THE NAMES IN THE DIVISION OF HUMAN RESOURCES TO ACCURATELY REFLECT THE BUREAU OF HUMAN RESOURCES AND TO PROVIDE FOR RULE PROMULGATION BY THE DEPARTMENT OF LABOR; AND PROVIDING SEVERABILITY.

S 1179

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO CRIMINAL GANG ENFORCEMENT ACT; AMENDING SECTION 18-8503, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE AND TO CLARIFY PUNISHMENTS FOR ADULTS AND JUVENILES.

S 1180

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO SPECIAL PILOT PROJECT ROUTES AND PERMITS FOR OVERWEIGHT VEHICLE LOADS; AMENDING SECTION 49-1004, IDAHO CODE, AS AMENDED BY SECTION 1, SENATE BILL 1138, AS ENACTED BY THE FIRST REGULAR SESSION OF THE FIFTY-NINTH IDAHO LEGISLATURE, TO PROVIDE AN ADDITIONAL ROUTE FOR PERMITTED USE ON DESIGNATED STATE SPECIAL PILOT PROJECT ROUTES.

S 1181

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO PERMANENTLY DISABLED PUBLIC SAFETY OFFICERS; AMENDING CHAPTER 13, TITLE 59, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 59-1361B, IDAHO CODE, TO PROVIDE A PUBLIC SAFETY

OFFICER SUPPLEMENTAL DISABILITY BENEFIT; AMENDING CHAPTER 57, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5761B, IDAHO CODE, TO PROVIDE FOR INSURANCE ELIGIBILITY FOR CERTAIN PUBLIC SAFETY OFFICERS AND THEIR SPOUSES AND DEPENDENTS; DECLARING AN EMERGENCY, PROVIDING RETROACTIVITY AND SETTING FORTH APPLICABILITY FOR CERTAIN CLAIMS.

S 1182
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO FINANCING STATEMENTS COVERING FARM PRODUCTS; AMENDING SECTION 28-9-502, IDAHO CODE, TO REVISE REQUIREMENTS APPLICABLE TO FINANCING STATEMENTS AND AMENDMENTS TO FINANCING STATEMENTS; AND AMENDING SECTION 28-9-518, IDAHO CODE, TO PERMIT THE FILING OF CORRECTION STATEMENTS IN CONNECTION WITH FINANCING STATEMENTS COVERING FARM PRODUCTS.

S 1178, S 1179, S 1180, S 1181, and S 1182 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 32, as amended in the Senate, by Environment, Energy, and Technology Committee, was read the first time at length and filed for second reading.

H 20, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the first time at length and filed for second reading.

H 71, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

S 1030, as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

S 1123, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1089, as amended, by Education Committee, was read the first time at length and filed for second reading.

H 205, by State Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

HCR 13, by Environment, Energy, and Technology Committee, was introduced, read at length, and referred to the State Affairs Committee.

HCR 15, by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

H 157, H 164, and H 158 by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 123, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

HJM 1, as amended, by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

H 125, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1053, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1095, by Education Committee, was read the second time at length and filed for third reading.

S 1142 and S 1149, by Health and Welfare Committee, were read the second time at length and filed for third reading.

S 1164, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1121, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

H 26, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:20 p.m. until the hour of 10:30 a.m., Wednesday, February 28, 2007.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary